

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

HUAWEI TECHNOLOGIES CO., LTD., a
Chinese corporation, and FUTUREWEI
TECHNOLOGIES, INC., a Texas corporation,

Plaintiffs,

vs.

YIREN RONNIE HUANG, an individual, and
CNEX LABS, INC., a Delaware corporation,

Defendants.

The Honorable Amos L. Mazzant, III

Civil Action No. 4:17-cv-00893 ALM

FILED UNDER SEAL

**DECLARATION OF JEFFREY LAU IN SUPPORT OF DEFENDANTS' MOTION TO
RECONSIDER DENIAL OF DEFENDANTS' REQUEST TO COMPEL PLAINTIFFS
TO PRODUCE DOCUMENTS RELATED TO HUAWEI_TX_0001452 AND
HUAWEI_TX_0001453 AND CNEX RELATED COMMUNICATIONS WITH THE
CHINESE GOVERNMENT (DKT. 168)**

I, Jeffrey Lau, declare as follows:

1. I am an attorney at the law firm of Farella Braun + Martel LLP, counsel for Defendants Yiren "Ronnie" Huang and CNEX Labs, Inc. I have personal knowledge of the matters in this declaration, and if I were called as a witness, I would and could competently testify as to them.

2. I submit this declaration in support of Defendants' Motion to Reconsider Denial of Defendants' Request to Compel Plaintiffs to Produce Documents Related to HUAWEI_TX_0001452 and HUAWEI_TX_0001453 and CNEX Related Communications with the Chinese Government (Dkt. 168).

3. Attached as **Exhibit A** is a copy of HUAWEI_TX_0001452 and its certified translation (filed under seal). The metadata produced with this document states that

[REDACTED]

[REDACTED]

4. Attached as **Exhibit B** is a copy of HUAWEI_TX_0001453 and its certified translation (filed under seal). The metadata produced with this document states that

[REDACTED]

[REDACTED].

5. Plaintiffs produced HUAWEI_TX_0001452 and HUAWEI_TX_0001453 as standalone documents. These documents were not part of any document family—*i.e.*, they were not produced as part of an email chain or any other formal grouping of documents.

6. Attached as **Exhibit C** is a copy of the translation certificate from Morningside IP, dated July 22, 2018, for the translations of HUAWEI_TX_0001452 and HUAWEI_TX_0001453.

7. Attached as **Exhibit D** is a copy of Plaintiffs' Responses and Objections to Defendants' Notice of 30(b)(6) Deposition of Plaintiffs, dated December 12, 2018.

8. Attached as **Exhibit E** is a true and correct copy of Plaintiffs' Rule 26(A) First Supplemental Disclosures, dated November 30, 2018 (filed under seal).

9. Attached as **Exhibit F** is copy of Defendant CNEX Lab, Inc.'s and Yiren "Ronnie" Huang's Fourth Supplemental Objections and Responses to Plaintiffs' First Set of Interrogatories (filed under seal), dated December 18, 2018.

10. Attached as **Exhibit G** is a copy of the Investigate Report on the U.S. National Security Issues Posed by Chinese Telecommunications Companies Huawei and ZTE, a report by Chairman Mike Rogers and Ranking Member C.A. Dutch Ruppersberger of the Permanent Select Committee on Intelligence, U.S. House of Representatives, 112th Congress, dated October

8, 2012. The report is also available online at [https://intelligence.house.gov/sites/intelligence.house.gov/files/documents/huawei-zte%20investigative%20report%20\(final\).pdf](https://intelligence.house.gov/sites/intelligence.house.gov/files/documents/huawei-zte%20investigative%20report%20(final).pdf) (last accessed January 3, 2019).

11. Attached as **Exhibit H** is a copy of a report by the White House Office of Trade and Manufacturing Policy entitled “How China’s Economic Aggression Threatens the Technologies and Intellectual Property of the United States and the World,” dated June 2018. The report is also available online at <https://www.whitehouse.gov/wp-content/uploads/2018/06/FINAL-China-Technology-Report-6.18.18-PDF.pdf> (last accessed January 3, 2019).

12. Attached as **Exhibit I** is a copy of a letter from Jeffrey Fisher to Andrew Boutros, Elizabeth Forrest, Jesse Coleman, and Clyde Siebman, dated October 30, 2018.

13. Attached as **Exhibit J** is a copy of a letter from Jesse Coleman to Jeffrey Fisher, dated November 2, 2018.

14. Attached as **Exhibit K** is a copy of a letter from Jeffrey Lau to Jesse Coleman, dated November 6, 2018.

15. The parties met and conferred regarding Defendants’ document requests, as reflected in Exhibits I, J, and K, on November 20, 2018.

16. Attached as **Exhibit L** is a copy of HUAWEI_TX_0000466 (filed under seal).

17. Attached as **Exhibit M** is a copy of HUAWEI_TX_0168182 (filed under seal).

18. Attached as **Exhibit N** is a copy of HUAWEI_TX_3135973 (filed under seal).

19. Attached as **Exhibit O** is a copy of HUAWEI_TX_3135975 (filed under seal).

Exhibit O was produced as an attachment to the email attached at Exhibit N.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 4th day of January, 2019, at San Francisco, California.

/s/ Jeffrey Lau
Jeffrey Lau